

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**KATHY PILKINTON,  
INDIVIDUALLY AND ON BEHALF  
OF ALL OTHERS SIMILARLY  
SITUATED**



**FLSA Collective Action Pursuant to  
29 U.S.C. § 216(b)**

**CIVIL ACTION NO. 2: 17-cv-519**

**VS.**

## JURY DEMANDED

**HERITAGE HOSPICE OF  
TEXARKANA, LLC D/B/A HERITAGE  
HOSPICE AND BLAKE R. RICH**

## DECLARATION OF KATHY PILKINTON

Pursuant to 28 U. S. C. § 1746 KATHY PILKINTON declares as follows:

"My name is KATHY PILKINTON. The facts contained in this declaration are within my personal knowledge and are true and correct. I am fully qualified to make this declaration.

I was employed as a salaried RN Case Manager, of Heritage Hospice of Texarkana, LLC ("Heritage Hospice") in the Jefferson, Texas office location from approximately March 1, 2016 through May 21, 2017. I was responsible to provide care to Heritage Hospice's patients. I was on call at nights and weekends. Including time spent actually performing work while on call, I consistently worked over forty hours per week. I was paid a salary for all hours worked and consequently, I was not compensated for all hours worked over forty per week.

The shifts I worked for Heritage Hospice were assigned by my supervisor. When I was called out on nights and weekends, this work was reported to the company. Therefore, Heritage Hospice knows exactly the number of hours I and my co-workers worked.

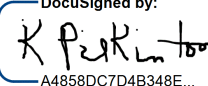
During the time I worked for Heritage Hospice, there were always other RN Case Manager employees who also worked for Heritage Hospice. These employees performed the same or similar job duties that I performed.

Over the course of the time I worked for Heritage Hospice, I got to know many of the other RN Case manager employees working in the East Texas area. I worked with these employees on a daily basis. We often discussed among ourselves Heritage Hospice's failure

to properly compensate us for overtime. Thus, from discussions with these employees, I know they were not paid overtime wages as I have described in this declaration.

I declare under penalty of perjury that the foregoing is true and correct."

Executed on 11/22/2017.

DocuSigned by:  
  
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Kathy Pilkinton